

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

J & J Sports Productions, Inc.

Plaintiff

v.

Alex Matov, and
Oasis Community Center, Inc.
Db a Oasis Night Club,

Defendants

**Case No.
1:16-cv-11864**

**DEFENDANT ALEX MATOV’S ANSWER TO COMPLAINT
AND AFFIRMATIVE DEFENSES**

Defendant Alex Matov (“Defendant”), for his Answer to the Complaint of Plaintiff J & J Sports Productions, Inc. (“Plaintiff”), answers as follows:

JURISDICTION

1. This paragraph contains a conclusion of law for which no answer is required. To the extent that an answer is required, Defendant admits only that the statutes referenced provide for federal subject matter jurisdiction. To the extent not otherwise admitted, Defendant denies the allegations of this paragraph. Specifically, and without limitation, Defendant denies that Plaintiff is entitled to any relief under any of the statutes referenced.

2. This paragraph contains a conclusion of law for which no answer is required. To the extent that an answer is required, Defendant admits only that the statute referenced provides for federal subject matter jurisdiction. To the extent not otherwise admitted, Defendant denies the allegations of this paragraph.

3. This paragraph contains a conclusion of law for which no answer is required. To the extent that an answer is required, Defendant denies the allegations contained in this paragraph. In further answering, however, Defendant admits that he is a resident of Massachusetts and therefore subject to personal jurisdiction in this Court.

VENUE

4. Defendant admits that venue is proper within this District. To the extent not specifically admitted, Defendant denies the allegations of this paragraph for all other purposes.

INTRADISTRICT ASSIGNMENT

5. Defendant admits that venue is proper within this Court. To the extent not specifically admitted, Defendant denies the allegations of this paragraph.

THE PARTIES

6. Defendant is without sufficient information to admit or deny the allegations of this paragraph and therefore denies the same.

7. Defendant admits that Alex Matov is a natural person. To the extent not specifically admitted, Defendant denies the allegations of this paragraph.

8. Defendant denies the allegations of this paragraph.

COUNT I

(Violation of Title 47 U.S.C. Section 605)

9. Defendant hereby incorporates by reference all of his responses contained in paragraphs 1-8 inclusive, as though set forth herein at length.

10. Defendant is without sufficient information to admit or deny the allegations of this paragraph and therefore denies the same.

11. Defendant is without sufficient information to admit or deny the allegations of this paragraph and therefore denies the same.

12. Defendant is without sufficient information to admit or deny the allegations of this paragraph and therefore denies the same.

13. Defendant denies the allegations of this paragraph.

14. Defendant denies the allegations of this paragraph.

15. This paragraph contains a conclusion of law for which no answer is required. To the extent that an answer is required, Defendant denies the allegations contained in this paragraph.

16. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

17. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

18. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

WHEREFORE, Defendant prays that judgment enter in his favor.

COUNT II

(Violation of Title 47 U.S.C. Section 553)

19. Defendant hereby incorporates by reference all of his responses contained in paragraphs 1-18 inclusive, as though set forth herein at length.

20. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

21. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

22. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

23. This paragraph contains a conclusion of law to which no response is required. To the extent a response is deemed necessary, Defendant denies the allegations of this paragraph.

WHEREFORE, Defendant prays that judgment enter in his favor.

COUNT III

(Conversion)

24. Defendant hereby incorporates by reference all of his responses contained in paragraphs 1-23 inclusive, as though set forth herein at length.

25. Defendant denies the allegations of this paragraph.

WHEREFORE, Defendant prays that judgment enter in his favor.

COUNT IV

(Violation of Massachusetts General Laws Chapter 93A Sections 2 and 11)

26. Defendant hereby incorporates by reference all of his responses contained in paragraphs 1-25 inclusive, as though set forth herein at length.

27. Defendant denies the allegations of this paragraph.

28. Defendant is without sufficient information to admit or deny the allegations of this paragraph and therefore denies the same.

29. Defendant denies the allegations of this paragraph.

30. Defendant denies the allegations of this paragraph.

31. Defendant denies the allegations of this paragraph.

32. Defendant denies the allegations of this paragraph.

33. Defendant denies the allegations of this paragraph.

WHEREFORE, Defendant prays that judgment enter in his favor.

PRAYER FOR RELIEF

Defendant prays for the following relief on all counts of the Complaint:

A. That judgment enter for Defendant and against Plaintiff for all counts of the Complaint and that Plaintiff's requested relief be denied in its entirety;

B. That Defendant be awarded his costs and reasonable attorneys' fees incurred herein;

C. For such further relief as the Court deems just and proper.

GENERAL DENIAL

Each and every allegation of the Complaint not specifically admitted is hereby denied.

AFFIRMATIVE DEFENSES

1. The Complaint fails, in whole or in part, to state a claim upon which relief can be granted.

2. The Complaint is barred, in whole or in part, because any damages to Plaintiff (which Defendant denies) were not the proximate result of Defendant's actions or omissions.

3. The Complaint is barred, in whole or in part, for lack of scienter, knowledge, intent, and/or control.

4. The Complaint is barred, in whole or in part, because Defendant does not as an individual engage in business or commerce.

5. To the extent Plaintiff states a claim, which Defendant denies, Plaintiff's remedies are limited to the extent there is sought an overlapping or duplicative recovery pursuant to the various claims against Defendant for any alleged single wrong.

6. The Complaint fails, in whole or in part, because an exception pursuant to 47 U.S.C. Section 605(b) applies.

7. The Complaint is barred, in whole or in part, by the statute of limitations.

DEFENDANT DEMANDS A TRIAL BY JURY ON ALL CLAIMS SO TRIABLE

Respectfully submitted,
Alex Matov
By his Attorneys,

/s/ Matthew Shayefar, Esq.
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Dated: October 20, 2016

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants identified on the Notice of Electronic Filing.

/s/ Matthew Shayefar, Esq